

Legislative Update January through August 2001

Motor Vehicle Code

CONSTRUCTION ZONE PENALTIES

MCL 257.303, 319, 320a, 601b, 732 Revises the Motor Vehicle Code to prescribe penalties and points for committing a moving violation that causes injury or death to a person working in a construction zone or operating an implement of husbandry on a highway. Effective: October 1, 2001

Criminal Law

FETUS/EMBRYO KILLING

MCL 750.90a and 750.90b Revises the penal code by including penalties for the death of an embryo or fetus due to an assault against a pregnant individual. Effective: June 1, 2001

SEX CRIME EVIDENCE

MCL 767.24 Eliminates the statute of limitations for first degree criminal sexual conduct. The statute of limitations have been increased for second, third, and fourth degree criminal sexual conduct as well as assault with intent to commit criminal sexual conduct up to 10 years after the offense or the victim's 21st birthday, whichever is later. If DNA evidence is obtained from an unidentified individual, there is no statute of limitation. However, after the individual is identified, the case shall be filed within 10 years or by the victim's 21st birthday, whichever is later. Effective: May 2, 2001

FRAUDULENT EMPLOYMENT

MCL 750.217e Prohibits persons not employed by the Family Independence Agency from informing or representing that they are employees of that agency. Violation is a 2-year felony. Effective: September 1, 2001

THREAT OF HARM TO F.I.A. WORKERS

MCL 750.81c A person who communicates to any person a threat that he or she will physically harm an individual who is an employee of the Family Independence Agency and who does so because that person is employed by that agency is guilty of a 1-year misdemeanor. Effective: September 1, 2001

CRIMINAL D.N.A.

MCL 28.176, 803.307a, 28.172, 791.233d, 712A.18k, 750.520m, 803.225a

Requires the sheriff or investigating law enforcement agency, as ordered by the court, to collect a DNA sample, prior to sentencing, from all convicted felons. It also requires the collection of DNA samples from the following misdemeanors or local ordinances substantially corresponding to misdemeanors:

- Enticing a child for immoral purposes
- Disorderly person by window peeping, engaging in indecent or obscene conduct in public, or loitering in a house of ill fame or prostitution
- Indecent exposure
- First or second prostitution violations
- Leasing a house for purposes of prostitution
- Female under the age 17 in a house of prostitution

Effective: January 1, 2002